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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORLAND DIVISION

DRY BULK SINGAPORE PTE. LTD.)

)

Plaintiff,)

)

Case No.:

v.)

)

IN ADMIRALTY

Amis Integrity S.A. *in personam* and)

M/V AMIS INTEGRITY (IMO)

9732412) her engines, freights, apparel,)

appurtenances, tackle, etc., *in rem*,)

)

Defendant.

**DECLARATION OF DAVID BOYAJIAN IN SUPPORT OF PLAINTIFF'S
OPPOSITION TO DEFENDANTS' MOTION TO VACATE ORDER OF
ARREST**

I, David Boyajian, declare as follows:

1. I am counsel for Dry Bulk Singapore PTE. LTD.

2. On Thursday, October 17, at 5 PM local, Markus Oberg of LeGros Buchanan &

Paul, P.S., called my office to notify me he/his firm had been engaged as counsel for the MV

AMIS INTEGRITY and her owners. He asked if the vessel had been arrested yet, and I confirmed that it had.

3. I suggested we exchange contact information and, while we remained on the phone, I sent Mr. Oberg an email providing my direct line and cell phone numbers. Mr. Oberg acknowledged receipt by return email.

4. Mr. Oberg inquired about the quantum and form of substitute security my client would accept in order to release the vessel from arrest. I explained that I would have to check with my client, by email, and that I would revert.

5. Mr. Oberg never mentioned a motion to vacate (a dispositive motion) or a claim for costs arising from a wrongful arrest. We certainly did not discuss “each claim, defense, or issue that is the subject of [any] proposed motion”, as LR 7-1 requires.

6. At 6:32 PM, I emailed Mr. Oberg proposing \$5 million security in the form of a surety bond. Mr. Oberg acknowledged receipt, by email, five minutes later.

7. Opposing counsel did not call our offices or send another email prior to filing this emergency motion to vacate and claim for wrongful arrest at 1:21 PM on Friday, October 18.

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8. Contrary to counsel's certification, the parties did not confer — the first we heard of any motion to vacate was when we received notice of electronic filing at 1:21 PM on Friday, October 18.

Dated at Portland, Oregon this 21st day of October, 2019

s/ David R. Boyajian
David R. Boyajian, OSB# 112582
dboyajian@schwabe.com